

**DATE:** November 29, 2023

**TO:** Bicycle/Pedestrian Advisory Committee

**FROM:** Ria Hutabarat Lo, Transportation Manager

**VIA:** Dawn S. Cameron, Public Works Director

**SUBJECT:** Transportation Legislative Updates

---

**RECOMMENDATION**

Receive information on recent transportation-related legislation.

**BACKGROUND/ANALYSIS**

In the 2023 legislative session, the State of California adopted several new pieces of transportation legislation. The City has not yet received legal input on the applicability of these new laws to Mountain View operations and projects; however, a lay summary of the laws is provided below.

**[AB 971 Vehicles: Transit-Only Traffic Lanes \(Approved October 10, 2023\)](#)**

AB 971 was sponsored by the City of Mountain View and authored by Assemblymember Alex Lee. The law amends the definition of “transit-only traffic lanes” under California Vehicle Code (CVC) Section 21655.1 to match that described in Section 40240, that is: “any designated transit-only lane on which use is restricted to mass transit vehicles, or other designated vehicles, including taxis and vanpools, during posted times.”

Previously, CVC Section 21655.1 allowed local authorities to designate a portion of a roadway to be used exclusively for public transit buses but did not clearly define public transit. Elsewhere in the law (Section 642), a “transit bus” was defined as “any bus owned or operated by a publicly owned or operated transit system or operated under contract with a publicly owned or operated transit system, and used to provide to the general public, regularly scheduled transportation for which a fare is charged.”

The new amendment ensures that the City’s upcoming transit lane projects, including the Shoreline Boulevard Reversible Bus Lane project, are able to serve the variety of transit types that operate within the City, including the City’s fare-free publicly accessible and publicly owned

shuttles, the Mountain View Transportation Management Association's fare-free publicly accessible and privately operated shuttles, and high-occupancy shuttle services provided by employers. In addition to these local benefits, the bill supports wider implementation of transit-only lanes in California, which will improve the speed and reliability of bus and shuttle services.

#### **AB 413 Vehicles: Stopping, Standing, and Parking (Approved October 10, 2023)**

AB 413 prohibits the stopping, standing, or parking of a vehicle within 20' of the vehicle approach side of any unmarked or marked crosswalk or 15' of any crosswalk where a curb extension is present.

#### **AB 361 Vehicles: Photographs of Bicycle Lane Parking Violations (Approved October 8, 2023)**

AB 361 authorizes local agencies to install automated forward-facing parking control devices on parking enforcement vehicles to take photographs of parking violations occurring in bicycle lanes. Furthermore, based on review of these photographs, the law allows cities to issue parking violations within 15 days. Participating agencies are required to report to the Legislature by December 31, 2028 regarding the effectiveness of the program and impact on traffic outcomes.

#### **AB 645 Vehicles: Speed Safety System Pilot Program (Approved October 13, 2023)**

AB 645 authorizes the cities of Los Angeles, San Jose, Oakland, San Francisco, Glendale, and Long Beach to establish a Speed Safety System Pilot Program until January 1, 2032 that includes the following elements:

- Adoption of a Speed Safety System Use Policy regarding automated speed cameras;
- Adoption of a Speed Safety System Impact Report prior to implementing the program;
- Public information campaign at least 30 days prior to implementing the program;
- Warning notices rather than violations for the first 60 days of the program;
- Development of uniform guidelines on processing and storage of confidential information among other topics; and
- Submission of a report evaluating the system's impact on street safety and economic factors for the communities where the system is utilized.

The law specifies that any violation of a speed law under the pilot program is subject only to the provided civil penalties, and it outlines a process for issuing notices of violation, administrative

hearings, appeals, and offering a diversion program for indigent speed safety system violation recipients.

**[SB 695 Caltrans Website: State Highway System Data and Information](#) (Approved October 8, 2023)**

Starting January 1, 2026, SB 695 requires the California Department of Transportation (Caltrans) to make information available on its website regarding projects on the State highway system from the prior fiscal year. This information and data must also be presented to the California Transportation Commission (CTC) by April 1 each year. In addition, the law requires Caltrans to provide data and information on its website by January 1, 2025 regarding projects on the State highway system from July 1, 2018 to June 30, 2023. This information must also be presented to the CTC by April 1, 2025.

**[SB 381 Electric Bicycles: Study](#) (Approved October 13, 2023)**

SB 381 requires Mineta Transportation Institute at San Jose State University to conduct a study on electric bicycles, including data on injuries, crashes, emergency room visits, and deaths related to bicycles and electric bicycles as well as best practices for policy to promote safe use of electric bicycles. The study is to be conducted in consultation with relevant stakeholders and completed by January 1, 2026.

**[AB 251 CTC: Vehicle Weight Safety Study](#) (Approved October 7, 2023)**

In light of increasing vehicle weights, AB 251 requires the CTC to convene a task force to study the relationship between vehicle weight and injuries to vulnerable road users, such as pedestrians and cyclists, as well as the relationship between vehicle weight and degradation to roads. Additionally, the task force is required to study the costs and benefits of imposing a passenger vehicle weight fee.

**[SB 712 Tenancy: Personal Micromobility Devices](#) (Approved October 8, 2023)**

SB 712 prohibits landlords from prohibiting a tenant from owning a personal micromobility device (such as a scooter or bike) or from storing it in their home unless secure long-term storage is provided. For this section, a personal micromobility device is defined as a device that is: (a) powered by the physical exertion of the rider or an electric motor; and (b) designed to transport one individual or one adult accompanied by up to three minors. (This is a new definition beyond those presented to the City Council as part of Mountain View's Bicycle Ordinance on [March 26, 2019](#).)

### **AB 894 Parking Requirements: Shared Parking (Approved October 11, 2023)**

AB 894 requires cities and counties to allow entities with underutilized parking to share their parking with the public, local agencies, or other entities within a certain distance if they submit a shared parking agreement, information on the benefits of the proposed agreement, and a parking analysis using peer-reviewed methodologies. The law requires that agencies allow parking spaces identified in a shared parking agreement to count toward local parking requirements for new or existing developments. If the agency does not have a shared parking ordinance, the law also requires agencies to notify all property owners with properties located within 300' of the shared parking agreement and hold a public meeting if it is requested within 14 days of notification. Finally, when State funds are being used for a proposed new development or when public funds are being used for a proposed new parking structure or surface lot, the law requires the local agency, private landowner, or lessor to assess the feasibility of shared parking agreements to replace new parking construction or reduce the amount of new parking construction.

### **AB 1317 Unbundled Parking (Approved October 11, 2023)**

AB 1317 requires owners of qualifying residential properties to unbundle the price of parking from the price of rent. Qualifying properties include new developments with 16 or more dwelling units that receive a Certificate of Occupancy after January 1, 2025 and are in Santa Clara County or nine other counties. The law exempts properties, such as row houses or townhouses, where individual garages are functionally integrated into the property or unit as well as developments where 100% of units are affordable for people of low or moderate incomes.

### **MTC Transit-Oriented Communities Policy (Adopted September 28, 2022)**

In September 2022, MTC adopted Resolution No. 4530: Transit-Oriented Communities Policy. In September 2023, MTC released Administrative Guidance for implementing the Transit-Oriented Communities Policy, including documentation that will be needed to demonstrate compliance with the policy. Compliance with this policy will be needed to be eligible for future funding under the One Bay Area Grant Cycle 4 (OBAG 4) in 2026. Documentation covers four topics:

- **Section 1: Density for New Residential and Commercial Office Development:** The guidance outlines the methodology and options for calculating land use densities for comparison to minimum and maximum allowable densities for new residential and commercial office development near transit stations.
- **Section 2: Affordable Housing Production, Preservation, and Protection Policies and Commercial Stabilization Policies:** The guidance outlines minimum requirements and options relating to housing policies and programs, such as rent stabilization, tenant relocation assistance, and fair housing enforcement.

- **Section 3: Parking Management:** The guidance indicates that agencies must establish zero minimum parking requirements and lower maximum parking ratios (of one space per residential unit or 2.5 spaces per 1,000 square feet for commercial development) for new development near transit stations. Additionally, agencies must show that they have adopted at least one complementary policy, such as a transportation demand management (TDM) policy, for new development, curb management, parking benefit district, demand-responsive pricing, or priced parking.
- **Section 4: Station Access and Circulation:** The guidance indicates that agencies must adopt guidelines that comply with MTC's Complete Streets Policy, prioritizing active transportation projects on the regional active transportation network, complete an access gap analysis and accompanying program for station access, and identify opportunities for mobility hub planning.

Staff has provided feedback to MTC on the above requirements and is conducting a gap analysis associated with station access and circulation as well as undertaking programs related to housing, TDM, and capital project prioritization. Staff will bring the draft access gap analysis to BPAC for consideration in 2024.

#### **NEXT STEPS**

Staff will assess the implications of these new laws on City operations, including planning and enforcement.

RHL/6/PWK  
947-11-29-23M

cc: APWD—Skinner, PS—Goff, ACM/CDD, ATCM